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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,941	08/01/2003	Shinichi Masuda	1001-018	4992
26272	7590	12/24/2003	EXAMINER	
<b>ROBIN BLECKER &amp; DALEY</b> 2ND FLOOR 330 MADISON AVENUE NEW YORK, NY 10017				BLACKMAN, ROCHELLE ANN J
ART UNIT		PAPER NUMBER		
		2851		

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/632,941	MASUDA, SHINICHI
	Examiner Rochelle Blackman	Art Unit 2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 August 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 August 2003 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>08/01/03</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### ***Specification***

The disclosure is objected to because of the following informalities: On pg. 26, paragraph [0108], line 1 and on pg. 30, paragraph [0120], line 8, paragraph [0121], line 7, and paragraph [0124], line 2, "hericoid" should be - -helicoid- -. On pg. 43, paragraph [0175], line 4, "form" should be - -from- - and on line 5, "first cam face 147r" should -- first came face 147n- -.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

### ***Claim Objections***

Claims 5 and 7 are objected to because of the following informalities:

Claim 5 recites the limitation "the driving member" in line 12 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the driving member" in line 11 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato et al., U.S. Patent No. 5,602,607.

Regarding claims 1, 2, and 9, Kato discloses a “lens apparatus”(see FIGS. 3 and 10) comprising: a “lens unit which forms an optical image”(see 14a and 14b of FIGS. 4 and 6A); a “barrier member which can be moved open and close”(see 36 of FIGS. 10-12); a “driving member that drives the barrier member into an open position by rotating in one direction around an optical axis and drives the barrier member into a close position by rotating in another direction around the optical axis”(see 35 and 38 of FIGS. 10-13 and 15); an “energizing member which energizes the driving member in the one direction”(see 40 of FIGS. 10-12); and a “barrel which is constructed around the optical axis, wherein the driving member and the barrel move in the direction of the optical axis relatively”(see 5 of FIGS. 10-12 and 14); and “wherein the barrel has a first guide portion that rotates the driving member in the one direction, and a second guide portion that rotates the driving member in the other direction while resisting an energizing force of the energizing member according to a relative position change with the driving

member"(see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); and "wherein the driving member drives the barrier member into the open position by rotating in the one direction by the first guide portion when the driving member can not rotate into a position corresponding to the open position of the barrier member by the energizing force of the energizing member"(see col. 19, line 50 to col. 20, line 28 and col. 21, line 14 to col. 22, line 20); "wherein the barrel has a third guide portion that guides the driving member to the second guide portion according to the relative position change of the driving member"(also see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); a "camera"(see FIGS. 4 and 6) and an "image pickup device which receives light passing through the lens apparatus and photoelectrically converts an image formed by the lens apparatus"(see 7 and 14a-b of FIGS. 4 and 6A).

Regarding claims 3, 4, and 10, Kato discloses a "lens apparatus"(see FIGS. 3 and 10) comprising: a "lens unit which forms an optical image"(see 14a and 14b of FIGS. 4, and 6A. 10-12); a "barrier member which can be moved open and close"(see 36 of FIGS. 10-12); a "driving member that drives the barrier member into an open position by rotating in one direction around an optical axis and drives the barrier member into a close position by rotating in another direction around the optical axis"(see 35 and 38 of FIGS. 10-13 and 15); a "resistive member which impedes the rotation of the driving member"(see 40 of FIGS. 10-12); and a "barrel which is constructed around the optical axis, wherein the driving member and the barrel move in the direction of the optical axis relatively"(see 5 of FIGS. 4, 10-12 and 14); and "wherein the barrel has a first guide portion that rotates the driving member in the one direction

and a second guide portion that rotates the driving member in the other direction, according to a relative position change with the driving member"(see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); "wherein the barrel has a third guide portion that guides the driving member to the second guide portion according to the relative position change with the driving member"(also see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); a "camera"(see FIGS. 4 and 6) and an "image pickup device which receives light passing through the lens apparatus and photoelectrlcally converts an image formed by the lens apparatus"(see 7 and 14a-b of FIGS. 4 and 6A).

Regarding claims 5 and 6, Kato discloses a "lens apparatus"(see FIGS. 3 and 10) comprising: a "lens unit which forms an optical image"(see 14a and 14b of FIGS. 4 and 6A); a "lens holding member which holds the lens unit and can be moved in the direction of the optical axis"(see 15 of FIGS. 4 and 6A); an "energizing member which energizes the lens holding member in the one direction around the optical axis"(see 40 of FIGS. 10-12); a "supporting member that has a cam portion that converts the rotation of the lens holding member around the optical axis into motion in the direction of the optical axis, and supports the lens holding member"(see 8 of FIGS. 4 and 6A); and a "barrel which is constructed around the optical axis, wherein the driving member and the barrel move in the direction of the optical axis relatively"(see 5 of FIGS. 4, 10-12 and 14); and "wherein the barrel has a first guide portion rotating the lens holding member in the one direction, and a second guide portion that rotates the lens holding member in the other direction around the optical axis, according to a relative position change with the supporting member"(see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); and

"wherein the lens holding member rotates a predetermined amount in the one direction by the first guide portion and drives in the direction of the optical axis by the cam portion when the lens holding member can not rotate the predetermined amount in the one direction by an energizing force of the energizing member"(see col. 19, line 50 to col. 20, line 28 and col. 21, line 14 to col. 22, line 20); and "wherein the barrel has a third guide portion that guides the lens holding member to the second guide portion according to the relative position change with the supporting member"(also see of FIGS. 10, 13, and 15 and col. 21, lines 31-42)

Regarding claims 7 and 8, Kato discloses a "lens apparatus"(see FIGS. 3 and 10) comprising: a "lens unit which forms an optical image"(see 14a and 14b of FIGS. 4 and 6A); a "lens holding member which holds the lens unit"(see 15 of FIGS. 4 and 6A); a "supporting member that has a cam portion that converts the rotation of the lens holding member around the optical axis into motion in the direction of the optical axis, and supports the lens holding member"(see 8 of FIGS. 4 and 6A); a "resistive member which impedes the rotation of the lens holding member around the optical axis"(see 40 of FIGS. 10-12); and a "barrel which is constructed around the optical axis, wherein the driving member and the barrel move in the direction of the optical axis relatively"(see 5 of FIGS. 4, 10-12 and 14); and "wherein the barrel has a first guide portion that rotates the lens holding member in one direction around the optical axis and a second guide portion that rotates the lens holding member in another direction around the optical axis, according to a relative position change with the supporting member"(see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42); "wherein the barrel further has a third guide

portion that guides the lens holding member to the second guide portion according to the relative position change with the supporting member"(also see 39a of FIGS. 10, 13, and 15 and col. 21, lines 31-42).

Regarding claims 11 and 12, Kato discloses a "lens apparatus"(see FIGS. 3 and 10) comprising: a "lens unit which forms an optical image"(see 14a and 14b of FIGS. 4 and 6A); a "barrier member which can be moved open and close"(see 36 of FIGS. 10-12); a "driving member that drives the barrier member into an open position by rotating in one direction around an optical axis, and drives the barrier member into a close position by rotating in another direction around the optical axis"(see 35 and 38 of FIGS. 10-13 and 15); an "energizing member which energizes the driving member in the one direction"(see 40 of FIGS. 10-12); and a "barrel which is constructed around the optical axis and has a first guide portion and a second guide portion, wherein the driving member and the barrel move in the direction of the optical axis relatively"(see 5 of FIGS. 4, 10-12 and 14); "wherein the driving member makes contact with the second guide portion by receiving an energizing force of the energizing member with the relative movement of the driving member and the barrel; and wherein the first guide portion is formed along the second guide portion"(see 38 and 39a of FIGS. 13 and 15 and col. 21, lines, 31-42); a "camera"(see FIGS. 4 and 6) and an "image pickup device which receives light passing through the lens apparatus and photoelectrically converts an image formed by the lens apparatus"(see 7 and 14a-b of FIGS. 4 and 6A).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Omiya, U.S. Patent No. 6,264,380 discloses a coupling means comprising a coupling lever extending rearwards in the direction of the optical axis from the barrier opening and closing member, and an engaging member provided on the rear lens group holder and being usually engaged with the coupling lever.

Nomura et al., U.S. Patent Application Publication No. 2002/0136554 discloses a diaphragm drive ring 63, for opening and closing the diaphragm sectors 62, that is provided on the outer peripheral surface thereof with a driven projection 63b which is engaged in a diaphragm control cam groove 71 (see FIG. 10) formed in the inner peripheral surface of the arm 33b of the third linear guide ring 33. Upon zooming, the third linear guide ring 33 and the lens-shutter unit 40 (diaphragm drive ring 63) are relatively moved in the optical axis direction.

Ohta et al., U.S. Patent No. 6,164,842 discloses an inclined surface portion 16a formed at the front edge of the barrier opening/closing member 16 that thrusts a lug 19c of the rotational ring 19, and the rotational ring 19 is held so that the rotational ring 19 is rotated in the direction (left direction in FIG. 9) opposite to the biasing direction of the rotational ring biasing spring 22, thus keeping the barriers 17, 18 in the closed state.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (703) 308-2879. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RB



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